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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/337,494	06/22/1999	NARIHIRO MATOBA	1163-0242P	9072

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EXAMINER

YE, LIN

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 05/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/337,494

Applicant(s)

MATOBA ET AL.

Examiner

Lin Ye

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 June 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 June 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 12-14 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Takayama U.S. Patent 6,512,791.

Referring to claim 1, the Takayama reference discloses in Figures 6A-D and 9-10, an image processing unit comprising: an A/D converter (16) for carrying out A/D conversion of image signals output from an image pickup apparatus (CCD 12) that picks up an image and converts it into electrical signals, and for outputting A/D converted image singles as image data as shown in Figure 10; a fixed length coding circuit (the orthogonal transformer 104, the quantizer 106 and the coder 107) for dividing the image data into unit blocks, each consisting of a predetermined number of pixels (predetermined to be 8x8 pixels, See Col. 5, lines 63-67) as shown in Figure 6C, and for coding the pixels in each unit block after obtaining an average level (the average brightness level of 8x8 pixels is obtained) of the pixels in the unit block (See Col. 6, lines 1-5); an exposure controller (system controller 100) for calculating a luminance level of a whole set of pixel data in the unit blocks by integrating the average

levels of the unit blocks, and for controlling exposure of the image pickup apparatus such that the luminance level of the image data matches a predetermined level (See Col. 9, lines 35-40).

Referring to claims 12-14, the Takayama reference discloses comprising selecting means for selecting a number and location of unit blocks as shown in Figure 6D-6E (selecting the blocks in the central area of screen in Figure 6D, and the area which was designated by manual selection in Figure 6E, See Col. 6, lines 59-63); for selecting the unit blocks (8x8 pixels) in accordance with their average levels (See Col. 6, lines 1-5).

For claim 18, the Takayama reference discloses all subject matter as discussed with respected to same comment as with claim 1.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takayama U.S. Patent 6,512,791 in view of Watanabe et al. U.S. Patent 5,032,927.

Referring to claim 2, the Takayama reference discloses all subject matter as discussed in respected claim 1, except the reference does not explicitly show a memory for storing fixed length coded data output from the fixed length coding circuit through coded output (126).

The Watanabe reference discloses in Figure 1, an image processing unit includes a fixed length coding circuit (blocking CKT 22, orthogonal transform CKT 24 and encoder 26) for dividing the image data into unit blocks, each consisting of a predetermined number of pixels (4x4 pixels) (See Col. 5, lines 12-15 and lines 57-68); a coded image memory (32) for storing fixed length coded data output from the fixed length coding circuit. The Watanabe reference is an evidence that one of ordinary skill in the art at the time to see more advantages for an image processing unit including a memory to store coded data output from the fixed length coding circuit so that data can be used for image reproduction or any other purposes later. For that reason, it would have been obvious to see the image processing unit comprising a coded image memory for storing fixed length coded data output from the fixed length coding circuit disclosed by Takayama.

Referring to claim 3, the Takayama reference discloses the system controller (100) decoding for the fixed length coded data with performing gain correction for adjusting the luminance level of the image data to a predetermined level (See Col. 6, lines 36-44).

Referring to claim 4, the Watanabe reference discloses a fixed length decoding circuit (decoder 44) for reading from said coded image memory the fixed length coded data, and for carrying out fixed length decoding of the fixed length coded data as shown in Figure 2; and a signal processor (orthogonal inverse transform circuit) for carrying out, using the average levels, gain correction (the Takayama reference already discloses the fixed length coding data contents the information about the average levels, gain correction) of image data output from said fixed length decoding circuit (See Col. 7, lines 53-66).

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5. Claims 5-7 and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takayama U.S. Patent 6,512,791 in view of Iwasaki et al. U.S. Patent 5,414,487.

Referring to claims 5 and 7, the Takayama reference discloses all subject matter as discussed in respected claim 1, except the reference does not explicitly show a pixel rearrangement circuit for sorting the image data that each color component is arranged in a unit block, and the image unit has signal level correction means respective color components.

The Iwasaki reference discloses in Figures 17 and 19A-B, an AE camera including a pixel rearrangement circuit (grouping device 49) for grouping the image data in a checkerboard pattern which each color component is arranged in a same group (unit block), each of which consists of a predetermined number of pixels (3x3 pixels) (See Col. 12, lines 35-39). The Iwasaki reference is an evidence that one of ordinary skill in the art at the time to see more advantages for an image-processing unit including a pixel rearrangement circuit to group each color component in a unit block so that a shift in light metering portion due to a color difference can be further reduced. For that reason, it would have been obvious to see the image-processing unit comprising a pixel rearrangement circuit for sorting the image data that each color component is arranged in a unit block and the signal level correction means respective color components disclosed by Takayama.

For claim 6, the Takayama and Iwasaki references disclose all subject matter as discussed with respected to same comment as with claims 1 and 5.

For claim 15-17, the Takayama and Iwasaki references disclose all subject matter as discussed with respected to same comment as with claims 5 and 12-14.

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6. Claims 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takayama U.S. Patent 6,512,791 in view of Watanabe et al. U.S. Patent 5,032,927 and Iwasaki et al. U.S. Patent 5,414,487.

For claim 8, the Takayama, Watanabe and Iwasaki references disclose all subject matter as discussed with respected to same comment as with claim 2.

For claim 9, the Takayama, Watanabe and Iwasaki references disclose all subject matter as discussed with respected to same comment as with claims 2 and 7.

For claims 10-11, the Takayama, Watanabe and Iwasaki references disclose all subject matter as discussed with respected to same comment as with claims 4 and 7.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- a. Yamagami et al. U.S 5,384,644 discloses that an image processing apparatus comprising a coding device for coding code data having a fixed length.
  - b. Hirabayashi et al. U.S 6,101,282 discloses that an image processing apparatus entropy encodes the selected encoding target data utilizing the second entropy-encoding table.
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Lin Ye** whose telephone number is **(703) 305-3250**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R Garber can be reached on (703) 305-4929.

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**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

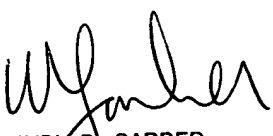
Washington, DC. 20231

Or faxed to:

(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal drive,  
Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding  
should be directed to the Technology Center 2600 Customer Service Office whose telephone  
number is (703) 306-0377.

  
WENDY R. GARBER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

Lin Ye  
May 1, 2003